

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

Douglas County District Court
~~UNITED STATES DISTRICT COURT~~ NEBRASKA

for the

District of _____

Division 1Case No. 8:23CV527

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☒ Yes ☐ No

Anthony Leving
 Plaintiff(s)
 (Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

District 4 of Omaha

Demand Jury Trial in Omaha,
NEBRASKA OK other
set court

Defendant(s)
 (Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS
 (Non-Prisoner Complaint)

FILED
 U.S. DISTRICT COURT
 DISTRICT OF NEBRASKA
 2023 NOV 27 AM 10:59
 OFFICE OF THE CLERK

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

RECEIVED

NOV 27 2023

CLERK
 U.S. DISTRICT COURT

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name
Address

Dominic Leveque

County
Telephone Number
E-Mail Address

Lincoln Regional Center 801 West
Prospector Place
Lincoln NE 68422

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name
Job or Title (if known)
Address

Police Chief - O.P.D.

County
Telephone Number
E-Mail Address (if known)

Omaha NE 68102
City State Zip Code

☒ Individual capacity ☒ Official capacity

Defendant No. 2

Name
Job or Title (if known)
Address

Officer Bradford

County
Telephone Number
E-Mail Address (if known)

Omaha NE 68102
City State Zip Code

☒ Individual capacity ☒ Official capacity

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Defendant No. 3

Name _____

Job or Title (if known) _____

Address _____

City _____

State _____

Zip Code _____

County _____

Telephone Number _____

E-Mail Address (if known) _____

☐

Individual capacity

☐

Official capacity

Defendant No. 4

Name _____

Job or Title (if known) _____

Address _____

City _____

State _____

Zip Code _____

County _____

Telephone Number _____

E-Mail Address (if known) _____

☐

Individual capacity

☐

Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐Federal officials (a *Bivens* claim)☒

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

Whitmore Minna Luisa blv. North Omaha NE 68112

- B. What date and approximate time did the events giving rise to your claim(s) occur?

10/31/2022 between 6pm. 8pm.

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

Shot by Officer Bradford in face Also under my left shoulder shadder. From O.P.D. It was night Halloween event every year. There was large Crowd of Witnesses. There Also video footage of the Incident.

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IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

I received Oral Surgery Nov 1 2022 shot FACE.

Five teeth to my LEFT mouth was taking Also
plate from my JAW was shattered. Also gun shot
wound Under My Shoulder.

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

\$10,000,000.00

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: _____

Signature of Plaintiff _____

Printed Name of Plaintiff _____

B. For Attorneys

Date of signing: _____

Signature of Attorney _____

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

Address _____

City

State

Zip Code

Telephone Number _____

E-mail Address _____

Douglas County district Court Omaha Ne 68102

Plaintiff: Dontavious Levinger

Defendant: Officer Bradford

CASE NO:

District 4 of Omaha

Pointed Counsel

And police chief O.P.D.

Pointed Counsel

Because of Difficult of Case of

Obtain Investigation Report of
Antimer Affairs of the shot

of Dontavious Levinger. And

Video Footage of

slow braking and honking horn in
a safe manner

Douglas County District Court
Omaha NE 68107

Plaintiff: Dontavius Levering

Defendant: OFFICER BRADFORD

District 4 of Omaha : CASE NO:

And police chief OPD

Discovery:

Dontavious Levering
Lincoln Regional Center
801 W. Prospector Pk.
68522

quadrant

FIRST-CLASS MAIL

11/21/2023

US POSTAGE \$000.63



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NOV 27 2023

CLERK
U.S. DISTRICT COURT

25-11-00

Clerk of Court
Hruska Federal Court house
111 S. 18th St Omaha NE 68102

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